UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/514,607	02/28/2000	Steven K. Elliot	ST9-99-024	8496

			EXAMINER
22462	7590	06/04/2004	NALVEN, ANDREW L

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ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *3/16/04* .

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6,8-10,12-15,17,19-21,23-26,28,30,32 and 34-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6,8-10,12-15,17,19-21,23-26,28,30,32 and 34-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *2-28-2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) .
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-4, 6, 8-10, 12-15, 17, 19-21, 23-26, 28, 30,32, and 34-39 are pending.

2.   Amendment submitted 3/16/04 has been received and entered.

Response to Arguments

1.   Applicant has argued on page 17 that the Hunt reference (US Patent No

6,154,747) fails to teach the constructing of an identifier from a concatenation of various

attributes for an abstract data type that is substantially unique to the abstract data type.

Examiner respectfully disagrees. Hunt teaches the constructing of an object identifier

that is generated by capturing system in milliseconds and concatenating that value with

the number of objects processed and prefixing a string corresponding to the name of

the server (Hunt, column 7 lines 42-65). Thus, through Hunt's method an identifier is

constructed from a concatenation of three attributes: time, number of objects already

created, and server name. Further, Hunt's method is designed to ensure that the

constructed identifier is substantially unique to that particular object (Hunt, column 7

lines 49-65).

2.   Applicant further argues on pages 17 and 18 that the Fischer (US Patent No

6,105,072), Hunt, and Moore (US Patent No 5,343,527) references fail to teach the

storing of the signature hash value in both a database and a class definition.

Applicant's arguments with respect to this point have been considered but are moot in view of the new ground(s) of rejection.

3.   Applicant further argues on page 18 that the Hunt, Fischer, and Moore references fail to teach the comparing of the signature hash value from the database with the signature hash value from the class definition after the class definition is instantiated in order to verify that the class definition is not outdated. Examiner respectfully disagrees. Examiner contends that the cited references teach the comparing of the signature hash value from the database with the signature hash value from the class definition after the class definition is instantiated (Fischer, column 30 lines 24-44 and 55-58, column 30 line 66 – column 31 line 12). Fischer teaches the instantiating or loading of a class (Fischer, lines 24-32) and the subsequent comparison of hash values (Fischer, column 30 lines 33-44 and 55-58, column 30 line 66 – column 31 line 12).

4.   In response to applicant's argument that the Hunt, Fischer, and Moore references fail to teach the comparing of signature hash values in order to verify that the class definition is not outdated on page 18, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-3, 6, 8-10, 12-14, 17, 19-21, 23-25, 28, 30-32, 34, and 36-38 are

rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt US Patent No.

6,154,747 in view of Fischer US Patent No. 6,105,072 and in further view of Morel et al

US Patent No 5,721,919. Hunt discloses a hash table implementation of an object

repository. Fischer discloses a method of validating traveling object-oriented programs

with digital signatures. Morel discloses a method and system for the link tracking of

objects.

5.   With regards to claims 1,3, 6, 8, 10, 12, 14, 17, 19, 21, 25, 23, 28, 30, 32, 34, 36,

and 38, Hunt teaches the construction of an identifier for the abstract data type where

the identifier is substantially unique to the data type (Hunt, column 6 lines 43-45, column

7 lines 42-49), the hashing of the constructed identifier to generate a signature hash

value for the abstract data type (Hunt, column 6, lines 45-50) wherein the identifier

comprises a concatenation of various attributes for the data type (Hunt, column 7 lines

42-48), the storing of the hash value in the database (Hunt, column 7 lines 1-3 and

column 6 lines 48-50). Hunt fails to teach the storing of the hash value in the class

definition and the comparing of the hash value from the database and the class

definition. Morel teaches the storing of the hash value in the class definition (Morel, column 8 lines 57-63) and Fischer teaches the comparing of signature hash values from the database with signature hash values from the class definition (Fischer, column 30 lines 24-44 and 55-58, column 30 line 66 – column 31 line 12). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Morel's method of placing hash values within the object with Hunt's object repository because it offers the advantage of allowing an object to be unambiguously identified when searching for an object (Morel, column 5 lines 33-62). Further, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Fischer's method of comparing hash values with Hunt's object repository because it offers the advantage of preventing a too old or too new version of an object from inadvertently operating on incompatible data (Fischer, column 4, lines 19-49).

6.   With regards to claims 2, 9, 13, 20, 24, 31, and 37, Hunt as modified teach the instantiating of the class definition as a library function (Fischer, column 30 lines 55-58), the accessing of the abstract data type via the library function (Fischer, column 31 lines 6-10), and the comparison of the signature hash from the database and the class definition (Fischer, column 30 line 66 – column 31 line 12).

7.   Claims 4, 15, 26, 35, and 39 rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt US Patent No. 6,154,747, Fischer US Patent No. 6,105,072, and Morel et al US Patent No 5,721,919 as applied to claims 1, 23, and 34 above, and further in view of Moore US Patent No. 5,343,527. Hunt and Fischer, as described

above, fail to teach the use of a relational database for storing objects. Moore teaches

the use of a relational database to store objects (Moore, column 18, lines 14-21). At the

time the invention was made, it would have been obvious to a person of ordinary skill in

the art to utilize Moore's method of using relational databases with Hunt as modified

because it provides a means for storing and providing objects that are available at the

request of a workstation (Moore, column 3, lines 25-32).

Conclusion

1.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

8.   Any inquiry regarding this communication from the examiner should be directed

to Andrew Nalven at (703) 305-8407 during the hours of 7:15 AM – 4:45 PM Monday

through Thursday. The examiner can also be reached on alternate Fridays.

In the event that attempts to reach the examiner are unsuccessful, the

examiner's supervisor, Gregory Morse can be reached on (703) 308 – 4789.

Any response to this action should be mailed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Or faxed to:
(703) 872-9306 (for formal communications intended for entry)
Or:
(703) 872-9306 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA 22202, Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

Andrew Nalven

MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137